

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

_____)	
ANTHONY J. ABATECOLA,)	
)	
Plaintiff,)	
)	
v.)	CA No. 13-cv-00214-M-LDA
)	
WELLS FARGO BANK, N.A.,)	
)	
Defendants.)	
_____)	

STIPULATION OF DISMISSAL WITH PREJUDICE

Plaintiff Anthony J. Abatecola ("Plaintiff"), and the Defendant, Wells Fargo Bank, N.A. ("Defendant"), respectfully submit this Stipulation of Dismissal with Prejudice for entry by the Court:

1. The Mortgage relative to 72 Hazelwood Avenue, East Providence, Rhode Island, the Note evidencing the indebtedness secured by said Mortgage, and the Assignment of the Mortgage are hereby stipulated to be valid.
2. This matter is hereby dismissed with prejudice accordingly, with each party to bear their own costs and fees, with all rights of appeal with respect to this dismissal waived.
3. The Use and Occupancy payments in the amount of \$440.00 made by the Plaintiff to the Special Master as a result of these proceedings shall be released to Plaintiff's counsel, Todd Dion. \$140 of the Use and Occupancy payments will be retained by the Special Master to be used for payment of Wells Fargo's retainer.
4. Each of the undersigned parties warrants and represents as to himself/herself/itself that s/he/it has paid, or is processing, all retainer fees billed to that party and

waives the return of any retainer fee monies paid to the Special Master as a result of these proceedings.

ANTHONY J. ABATECOLA,

WELLS FARGO BANK, N.A.,

By his attorneys,

By their attorneys,

/s/ Todd S. Dion

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/s/ Lauren J. Regis

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Dated: October 10, 2014

BY ORDER: _____

ENTER: _____

CERTIFICATE OF SERVICE

I, Lauren Regis, hereby certify that this document has been filed electronically and is available for viewing and downloading from the ECF system. I further certify that this document will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on October 10, 2014.

/s/ Lauren J. Regis

Lauren J. Regis